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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A8734

Maximilian A. OTT, et al.

Appln. No.: 10/787,416

Group Art Unit: 2874

Confirmation No.: 4539

Examiner: Omar R ROJAS

Filed: February 27, 2004

For: ALL OPTICAL DISPLAY WITH STORAGE AND IR-QUENCHABLE PHOSPHORS


SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,


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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 26, 2004



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TERMINAL DISCLAIMER

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Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, NEC CORPORATION, represents that the petitioner, NEC CORPORATION is the owner of the entire right, title and interest of U.S. Application No. 09/359,037, filed on July 23, 1999 for **ALL OPTICAL DISPLAY WITH STORAGE AND IR-QUENCHABLE PHOSPHORS** by virtue of an Assignment from all of the inventors thereof executed on April 11, 2003, recorded on April 11, 2003 at Reel 013926, Frame 0288, now issued as U.S. Patent 6,760,515 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/787,416 by virtue of Assignments from NEC USA, INC. executed on March 25, 2002, recorded on April 3, 2002, at Reel 012745, Frame 0760, and from NEC RESEARCH INSTITUTE, INC. executed on August 19, 2002, recorded on August 27, 2002, at Reel 013221, Frame 0088.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 10/787,416

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/787,416 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,760,515, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/787,416 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,760,515 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/787,416, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/787,416 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/787,416 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,760,515 in the event that U.S. Patent 6,760,515 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

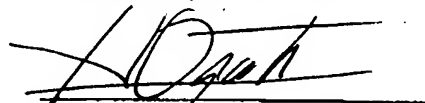
Terminal Disclaimer

U.S. Patent Application Ser. No.: 10/787,416

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18, of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

Respectfully submitted,



Hideyuki Ogata
General Manager

Title: Intellectual Property Licensing Division
NEC Corporation